

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5-26-10

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EARL FORSYTHE,

Plaintiff,

-v-

ALLIEDBARTON SECURITY SERVICES, et
al.,

Defendants.
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09 Civ. 8414 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.

On March 25, 2010, the Honorable Ronald L. Ellis, United States Magistrate Judge, issued a Report and Recommendation ("Report") in the above-captioned matter recommending that the Court dismiss the case without prejudice for failure to serve the defendants.

Neither party has filed any objection to the Report, and, for that reason alone, the parties have waived any right to further appellate review. See Thomas v. Arn, 474 U.S. 140, 147-48 (1985); Mario v. P & C Food Markets, Inc., 313 F.3d 758, 766 (2d Cir. 2002); Spence v. Superintendent, Great Meadow Corr. Facility, 219 F.3d 162, 174 (2d Cir. 2000). Accordingly, the Court hereby adopts the Report, and, for the reasons stated therein, dismisses the above-captioned action without prejudice. The Clerk of the Court is ordered to close the case.

SO ORDERED.

Dated: New York, NY
May 25, 2010


JED S. RAKOFF, U.S.D.J.